IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 34044 of 1998

Between:

Koduri Veeraraju S/o Ramana,
R/o.Biccavolu, East Godavari Dist.

..... PETITIONER

AND

1 District Educational Officer,
Kakinada, East Godavari Dist.
2 Mandal Educational Officer,
Biccavolu Mandal, E.G. District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction, more particularly one in Writ of Mandamus declaring the proceedings No.RC Spl.1/DPP/98, dt.15.9.1998 as illegal, arbitrary and opposed to the provisions of A.P. School Education (Community Participation) Act, 1998 and also without jurisdiction, consequently direct the respondents to drop all further proceedings pursuant to the above said order by continuing the petitioner as Chairman of the School Education Committee.

Counsel for the Petitioner: MR. T.V.S.PRABHAKAR RAO

Counsel for Respondents: GOVERNMENT PLEADER FOR SCHOOL EDUCATION

The Court made the following:

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ORDER:

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In the elections conducted in 1998, the petitioner was elected as Chairman of the School Education Committee of Mandal Parishad Upper Primary School, Biccavolu, East Godavari District. By proceedings dated 15-09-1998, which are challenged in the writ petition, the first respondent declared that the election is void and directed to conduct fresh elections.

This Court, while admitting the writ petition, by order dated
08-12-1998, suspended the impugned order by reason of which, it appears, the petitioner continued as Chairman of the School Education Committee.

As per Section 5(4) of the A.P. School Education (Community Participation) Act, 1998, the term of the Election Committee is two years. In that view of the matter, nothing remains in the writ petition.

Therefore, the writ petition is dismissed as infructuous. No costs.

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V.V.S. RAO, J

November 10, 2004.

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Educational Officer, East Godavari District at Kakinada.
2 The Mandal Educational Officer, Biccavolu Mandal, East Godavari

District.

3 Two CCs to the Government Pleader for School Education,

High Court Buildings, Hyderabad (O.U.T).

4 Two CD copies.